

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM,
VILLAGE HALL, ON WEDNESDAY, MARCH 12, 1997.**

Members Present: Patrick J. Gilmartin, Chairman
Robert Buford
William Bush
William Hoffman, Secretary
Peter Lilienfield

Also Present: Kevin J. Plunkett, Village Counsel
Ralph G. Mastromonaco, Planning Board
Consultant
Brenda Livingston & Joseph Elliot, Ad Hoc
Planning Board Members
Eugene Hughey, Building Inspector
Florence Costello, Planning Board Clerk
Joseph Jacoby, J & L Reporting Service, for
Westwood Development Associates
Cynthia Sullivan, Sullivan Recording, for
Abbott House
Applicants and other persons mentioned in
these Minutes
Members of the Public.

IPB Matters

Considered: 94-03 -- Westwood Development
Associates, Inc.

Sht. 10,10C,11,Lots
25K,25J2,25K2,25,25A,26A
96-29 -- Renato Rancic -- Lot #1, Dedyo
Subdivision
Sht. 13B, P9B, P25A, P68A, Lot #1
96-36 -- O'Hara/Hickey
Sht. 15, P121, P121F
97-02 -- Abbott House
Sht. 10, P-21
97-04 -- Irvington Associates
Sht. 12B, Lot #62
97-05 -- Irvington Associates
Sht. 12B, Lot #65

The Chairman called the meeting to order at 8:00 p.m.

IPB Matter #96-29: **Application of Renato Rancic for**
Site Development **Plan Approval for Lot 1, Dedyo**
Subdivision, Park **Road.**

Jim Ryan of John Meyer Consulting and David Steinmetz of Shamberg Marwell Cherneff Hocherman Davis & Hollis, P.C. , appeared for the Applicant, and provided an Affidavit of Publication, evidence of mailing of required Notice to Affected Property Owners and drawings prepared by John Meyer Consulting: "Site Plan (Lot #1)Rancic Property, dated 1/24/97, revised 2/5/97 and 3/11/97, "Utility Plan (Lot #1), dated 1/24/97, revised 2/5/97 and 3/11/97" and "Construction Details (Lot #1) dated 1/24/97, revised 3/07/97 and 3/11/97. The Applicant is requesting Site Development Plan Approval for Lot 1 in the Dedyo Subdivision for the construction of one house. The Chairman opened the Public Hearing.

The Chairman confirmed that the Dedyo performance bond which relates to improvement of the road is still in place. Lot #3 is still on hold. Mr. Mastromonico stated that he approved the drainage plan for Lot #1 as shown on the drawings submitted. The Board remains concerned about the height of the structure.

Public comments were received from Gerald Siegel of 17 Park Road with concern about blasting. Mr. Hughey will monitor. Mr. Terrence Mahon of Harriman Road expressed concern that the Lot #1 roof line will be too high vs. the neighborhood.

The Public Hearing was closed. Mr. Steinmetz will submit a proposed resolution for final site development plan approval, a (narrative) description of the house, with exact heights, and a new rendering at the next meeting. The Chairman expressed the positive feeling of the Board about changes since the original plans.

IPB Matter #96-36:
Katherine O'Hara

**Application of Walter T. O'Hara &
Hickey for Preliminary Layout Approval
for property at One Hudson Road East.**

Gerald D. Reilly, Esq., appeared for the Applicant. Applicant seeks preliminary layout approval for a subdivision of a .96 acre parcel of land into two lots which will each have in excess of 20,000 square feet . The easterly lot is already improved with a single family residence. The westerly lot is presently vacant, and it is proposed to erect a single family residence thereon.

There were no comments from the public. The Board had two issues: 1) The building setback change is not shown on the 1/22/97 drawings, and 2) A clear definition of what trees are coming down is needed.

The Board declared itself Lead Agency and determined that the action involved in the application was Type II for SEQRA purposes. After reviewing the EAF submitted by the Applicant it made a Negative Declaration.

IPB Matter #97-02:
Renewal of Special
Permit.

Application of Abbott House for

Marianne L. Sussman, General Counsel for Abbott House and Denis J. Barry, Executive Director, appeared on behalf of the Applicant. Abbott House is requesting the Planning Board to grant renewal of a special permit for use of the parcel including all buildings for administrative offices, home and school for the provision of a child care program for dependent, neglected, and abused children. The Chairman re-opened the Public Hearing carried over from the February 5, 1997 meeting.

The Chairman read aloud a letter dated March 12, 1997 from Dr. Mitchell Adler stating "Abbott House and I have come to a mutually satisfactory resolution of the problem concerning the stone wall between our properties". Mr. Hughey reported that the wall has been restored. The Chairman also noted receipt of Mr. Kaplan's letter dated March 11, 1997 regarding traffic and speed bumps. Ms. Penny Delaney, School Board Member, stated that speeding on high school hill is also a

problem and after careful investigation, information was that speed bumps on a hill are extremely dangerous. There were no further comments from the public. The Chairman closed the public hearing.

The Board did not accept Mr. Kaplan's request to require speed bumps on Strawberry Lane or rescind the Abbott House use of Strawberry Lane. The Chairman polled the Board to obtain a sense of whether it believed the Applicant should be granted basically the same terms as the previous special permit. All members stated they viewed the Application favorably but no formal action was taken. Ms. Sussman was requested to prepare the draft resolution granting a Special Permit for five years for the April 9 meeting.

A complete transcript of the proceedings was prepared and is incorporated by reference.

**IPB Matter #97-04: Application of Irvington
Associates L.L.C., for Site
Development Plan Approval for Lot #62,
Legend Hollow.**

Jim Ryan and David Steinmetz appeared for the application. Applicant paid the required application fee and provided an Affidavit of Publication and evidence of mailing of required Notice to Affected Property Owners for a public hearing on the application scheduled for this meeting. The Chairman opened the public hearing. Mr. Ryan described the proposal, and provided the Board with a new drawing "Site Plan (Lot #62), revised March 11, 1997.

Since the February 22 site walk, the applicant has withdrawn the proposal for a tennis court. In addition, a 30 ft. oak tree is being saved.

There were no comments from the public. After discussion, on motion duly made, seconded and unanimously approved, the Board granted Site Development Plan Approval for Lot #62.

**IPB Matter #97-05: Application of Irvington
Associates, L.L.C., for Site**

**Development Plan Approval for Lot #65,
Legend
Hollow.**

Jim Ryan and David Steinmetz appeared for the application. Applicant paid the required application fee and provided an Affidavit of Publication and evidence of mailing of required Notice to Affected Property Owners for a public hearing on the Application scheduled for this meeting. The Chairman opened the public hearing. Mr. Ryan described the proposal, and provided the Board with a new drawing "Site Plan (Lot #65), revised March 11, 1997.

The Applicant stated that a tennis court will be added to the plan and certain other changes would be made. Mr. Buford asked if the tennis court would cause the plan to exceed the coverage allowed.

Mr. Richard Bloom, who resides at Lot #64, expressed concern about the proximity of the garage, the aesthetics of the house and the drainage. Mr. Mastromonaco concurred with the drainage plan. The Board requested that the applicant look at sliding the house closer to the water shed. The public hearing was adjourned to the Board's April meeting pending receipt of the revisions to the plan.

**IPB Matter #94-03: Application of Westwood
Development Associates, Inc.
for Limited Site Development Plan
Approval for property at
Broadway, Riverview Road and Mountain
Road.**

Messrs. Padraic Steinschneider and Charles Pateman appeared for the application, Westwood Development Draft Environmental Impact Statement, Volume I, dated 2/5/97, Westwood DEIS, Volume II, Technical Appendices, dated 2/5/97, Westwood DEIS, Volume III, Traffic Report and Backup, dated 2/5/97, and drawings prepared by Timothy Cronin dated 5/1/97: Tract A Site Plan, Grading and Utility Plan, Tracts B/C Site Plan, Grading and Utility Plan, Tract A Zoning and Building Envelopes, Tract B/C Zoning and Building Envelopes; Tract A Utility Layout Plan, Tract B/C Utility Layout Plan; and Tract A Erosion

and Sediment Control Plan, Tract B/C Erosion and Sediment Control Plan, Erosion and Sediment Control Detail Sheet.

The Chairman confirmed the fact that the escrow deposit had been delivered to the Village. The Chairman requested, and the Applicant agreed, to extend to the Board's June meeting the date by which SEQRA requires the Board to determine if the DEIS is adequate and complete enough for a public hearing. Westwood will make a full presentation of the plan at the April 9 meeting.

The Chairman stated to the applicant that the four auxiliary apartments would be cause for rejection of the current proposal, an alternative would be to go to the Board of Trustees to obtain a waiver on this issue.

The Chairman identified the consultants input the Planning Board will use. They are: Mr. Ralph Mastromonaco, Tim Miller Associates, and Mr. Bruce Donohue. The Applicant had no objection to these consultants.

The Chairman and other members of the Board said that on a very preliminary review matters of concern consisted: 1) Location of the compost facility vs. the houses. 2) Drainage on Tract A. 3) The Chairman requested that the School Board provide an opinion (through their counsel) on the Link Road access. Letters were read from Mr. Ben Nisbet, Mr. Robert D. Taylor and Ms. Alayne Katz, all requesting that the Link Road option not be used. The Westwood position is that they will participate in the referendum process if necessary.

Joel Sachs, Esq., who has been retained by the Fieldpoint Community Association addressed the Board. He took the position that the Board should not entertain a proposal containing four auxiliary apartments because the Village Zoning Ordinance does not authorize such units. He requested that the Fieldpoint Association receive a copy of all documents and minutes, including Volume III (Traffic Study) and the November 1995 Scoping Outline. Mr. Steinschneider said he would provide such documents. He also asked for the assurance that consultants Miller and Donohue had not done any prior work for the applicant. This was confirmed. The Fieldpoint Association will be retaining their own consultants.

Penny Delaney, School Board member, stated that the school Board position is that High School Drive should not be used for Tract A traffic.

Mr. Barry Handelsman of Harriman Road disagreed with any proposal (Link Road) that will add more traffic to Harriman Road.

Ms. Alayne Katz asked for a time certain (not before 9:00 p.m.) commitment from the Board for future meetings to permit residents of Fieldpoint Community homeowners to be present, as many of them have commitments that make it impossible for them to be present earlier than 9:00 p.m. This was not agreed to, but the Chairman did commit that this matter would not be considered earlier than 9:00 p.m.

A complete transcript of the proceedings relating to this matter was prepared and is incorporated herein by reference.

The Board then considered the following administrative matters;

- The Chairman noted the death on March 11 of Mr. J. Howard "Howdy" Marshall who was Chairman of the Irvington Planning Board from 1966 to 1989. The Chairman stated that Mr. Marshall had made a great contribution to the Village.
- The next regular meeting of the Planning Board was scheduled for April 9, 1997.

There being no further business, the meeting was adjourned.

Respectfully submitted,

William Hoffman, Secretary

